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REMARKS

Robert Charles

OF

MR. WINTHROP, OF MASSACHUSETTS,

ON

THE DISTRIBUTION BILL,

IN THE HOUSE OF REPRESENTATIVES, JULY 2, 1841.

on Lands

[Washington - 1841]

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REMARKS.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill to distribute the proceeds of the sales of the public lands, and to grant pre-emption rights—

Mr. WINTHROP said he had no design of trespassing at any great length on the time of the committee. The sin of making a long speech was one he had never yet committed, and he certainly should not suffer himself to be guilty of it at the present session. If he had succeeded in obtaining the floor immediately after the honorable member from South Carolina [Mr. PICKENS] had concluded, and before he had left the House, he might have indulged in some comments on one or two parts of his speech. He hardly regretted, however, that he had failed, as it is was quite too warm weather to follow that gentleman far, either in his gloomy forebodings or his eloquent flights. One question which that gentleman had propounded, he would not, under any circumstances, have attempted to answer. The gentleman had asked emphatically, "What constitute State rights?" Mr. W. said he thought the true rights of the States were not difficult to be ascertained, and were the same yesterday, to-day, and always. But "State rights," in the partisan sense of the term, had seemed to him to be one thing to-day, another thing to-morrow, and sometimes nothing at all the next day. At any rate, he had never met with a definition which could stand the test of time and circumstances.

It was not to be disguised (Mr. W. said) that, at first sight certainly, there were some difficulties about adopting this measure at the present moment, even with those who, under other circumstances, would be disposed to support it. We had been informed by the Secretary of the Treasury that there was an aggregate of debt and deficit to be provided for in this and the ensuing year of more than twelve millions of dollars. A bill had already been reported authorizing a public loan to that amount. Another bill might soon be expected to lay new duties on imports for the purpose of meeting this debt when it should fall due, and, in the meantime, of supplying the deficiency in the annual revenue. These bills would form a conspicuous part of the legislation of the present session. They would occupy a prominent place on the statute book of the present Congress. And it could not be denied that it would look a little strange to find in immediate juxtaposition with them, perhaps on the very next page, a bill granting away, by an outright and absolute donation, the funds which were already on hand, or those which were certain to come into our possession during such a period of the national necessity.

Yet, strange as such a course of legislation might appear, and much as he foresaw it would be harped on, for the purpose of exciting hostility towards those who may have assented to it, I intend (said Mr. W.) to give it my vote. I am desirous, therefore, of vindicating that vote, as well as I can, in advance. I wish, in other words, in the few remarks with which I shall trouble the committee this morning, to take my stand, where so many other gentlemen who have opposed the bill have

taken theirs, at the very doors of the Treasury, and with its deplorable condition of emptiness and exhaustion full in my view, (a condition, let me say, which *we*, sir, had no hand in creating,) to justify, as far as I am able, my assent to an act, by which we shall seem to be literally "taking away from that which has not, even that which it has."

For the purpose of this justification, it seems to me essential to maintain, in the first place, that the moneys which are to be distributed by this bill are held by the National Government in some different right and upon some different conditions from those which we are about to collect. In other words, it is necessary to establish a broad and clear distinction, so far as the constitutional powers and duties of Congress are concerned, between the proceeds of the public lands and the annual receipts from other sources of revenue.

For one, certainly, I could never give my support to this bill, unless I were convinced that such a distinction exists. I could never vote to tax with a view to distribution. If, indeed, such a surplus were again accumulated in the Treasury as we saw there a few years ago, I might be willing to get rid of it in the best way I could, from whatever source it might have been collected; but to impose taxes with one hand, and distribute them with the other, would, in my judgment, be utterly unjustifiable as well as grossly unconstitutional.

Does, then, such a distinction exist? Do the proceeds of the public lands come into the Treasury under such different circumstances from its ordinary receipts as to constitute in some sort a *special fund*?

Gentlemen on the other side say, no. They maintain that when the lands have once been turned into moneys, and those moneys have been placed in the Treasury, they are in no degree distinguishable from the ordinary revenues of the country. And so entirely do they confound the two classes of receipts, as to tell us that, if Congress should pass this distribution bill, all the salutary safeguards thrown around the *taxing power* by our fathers would be broken down! This was the language of the honorable member from Maine, (Mr. CLIFFORD.)

Now what under the sun have the proceeds of the public lands to do with the *taxing power*? Is it a tax to give a man an acre of the best land on the face of the earth for a dollar and a quarter, and that at his own particular demand? If it be, sir, it is a tax which the People of this country may well be content to bear. Commend me to such taxes. I desire no safeguards against them. I am willing to submit to such taxation as this, even without representation.

Mr. Chairman, it seems to me that the most cursory examination of the Constitution is sufficient to show that there is no analogy whatever between these different classes of revenue.

The power to lay taxes is a power, as we all know, created by the Constitution itself. No such power existed before the Constitution was established. And the exercise of the power is limited by the express letter of the Constitution to certain specified purposes.

"Congress shall have power (says the Constitution) to lay and collect taxes, duties, imposts and excises, to pay the debts, and provide for the common defence and general welfare of the United States"—language, certainly, pretty broad and comprehensive in itself, but which has received a construction limiting it to the objects for which Congress, in other parts of the Constitution, is empowered to provide.

But how is it as to the public lands? The power of Congress over those lands was not originally created by the Constitution. A large portion of those lands was ceded to the General Government prior to the adoption of that instrument. Another portion was ceded soon after its adoption. And a third and fourth portion were purchased at subsequent and separate periods. The Constitution was framed with little or no reference to the lands. In the original draught of that instrument, there was not a line, or a word, or a syllable, in allusion to them. And the only provision which was afterwards inserted by the Convention, or can be found in relation to them now, is as follows:

"Congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State."

And now, what is there, Mr. Chairman, in this provision which makes it incumbent on Congress to appropriate the proceeds of these lands to one purpose rather than to another? What language is there in this clause, or what construction of any language, which gives us the authority to place them in the Treasury for the ordinary expenditures of the Government, which does not equally give us the authority to distribute them among the States? Where do we get the power to dispose of the proceeds at all, except as a necessary implication from the power to dispose of the lands? Sir, I put to the committee this dilemma—if the power to dispose of the lands does not carry with it the power to dispose of the proceeds, we have no such power; and if it does, then the latter power is co-equal and co-extensive with the former. And is there any one who sets limits to the power of disposing of the lands? It is too late to do so. We have already appropriated them to almost every object that can be named—to education, to internal improvements, to charity, to the use of individuals, of corporations, and of States.

And there is as little, Mr. Chairman, in the reason of the thing, as there is in the language of the Constitution, for limiting the disposition of the moneys received from the sales of the public lands. The People may well be jealous of entrusting even their own Representatives with the power of taxing them for every purpose at their pleasure. But, as I have already said, the sales of the public lands involve no taxation—they impose no burdens upon any body. In regard to them, therefore, the People are entirely safe in giving us the full latitude of a sound and reasonable discretion. And such a discretion I hold they have given us.

But gentlemen tell us that inasmuch as the distribution of the proceeds of the public lands will involve the necessity of laying additional taxes on imports, it amounts to the same thing as distributing the receipts from taxation. Why, sir, the same reasoning might almost as well be adduced against appropriating the Smithsonian fund to the object for which it was designed. That fund, if applied to the ordinary expenditures of the Government, would save the necessity of raising an equal amount by taxation. And its appropriation to the diffusion of useful knowledge among mankind, according to the terms of the bequest, might, with almost as much justice, be complained of as involving the necessity of imposing additional burdens on the People as the distribution for which this bill provides; if, as I maintain, the proceeds of the public lands constitute a separate fund in the Treasury entirely distinguishable from the ordinary revenues of the country.

Again, sir, it has been suggested that, upon this principle, the National Government might do to almost any extent indirectly, that which it is admitted they have no power to do directly. They might tax the People, we are told, to almost any amount for the purchase of new lands, and then go on to sell them forthwith and distribute the proceeds. But it is to be observed, Mr. Chairman, in the first place, that such an abuse would have its origin in the power to *purchase* and not in the power to distribute. And the power to purchase new territory, we all know, is one of very questionable constitutionality. The honorable member from Pennsylvania [Mr. INGERSOLL] the other day alluded to my respected colleague in front of me [Mr. ADAMS] as having denied the constitutionality of the Louisiana purchase. My colleague was not alone in that denial. Mr. Jefferson himself, in a letter to Mr. Breckenridge, written at the time, expressly declared that the Executive in making that purchase "had done an act beyond the Constitution."

But even were it not so; even were the power of purchasing territory entirely indisputable and unlimited, what would this suggestion amount to, but to one of those arguments against the use or existence of a power from its liability to abuse, which may be brought alike against any and every branch of authority which the Constitution bestows? Sir, if such arguments are to have weight, we must revoke

all authority, renounce all Government, abandon all society. Every power may be abused, and the only check or safeguard we can have is in the responsibility of those to whom power is entrusted.

I hold, therefore, Mr. Chairman, that there is a plain and palpable distinction between the proceeds of the public lands and the other receipts into the Treasury of the nation, and that while the latter are limited to certain specified objects of appropriation, the former are placed freely, so far at least as the Constitution is concerned, at the discretion of Congress—a discretion only controlled by the responsibility of those who exercise it, to the People who elected them.

And, indeed, this doctrine has too often been admitted, asserted, and acted upon even by those who have been the most strenuous opponents of this measure of distribution, to require any more extended illustration. It was expressly asserted by General Jackson, as long ago as 1832. In his Annual Message of that year, he says :

“As the lands may now be considered as relieved from this pledge, [the payment of the public debt,] the object for which they were ceded having been accomplished, *it is in the discretion of Congress* to dispose of them in such way as best to conduce to the quiet, harmony, and general interest of the American People.”

The same doctrine has been admitted, or certainly implied, by all the friends of *cession*, as it is called, whether absolute or conditional, from that day to this. For on what principle could Congress cede away the whole or any part of the lands themselves, which does not imply a high and plenary discretion on their part to dispose of the proceeds also ?

I turn, then, Mr. Chairman, from this first point in my argument, to inquire what considerations should influence us in the exercise of this discretion, and, more especially, what considerations will justify us in the particular exercise of it which is now proposed.

And, first, I maintain that Congress is not bound in such a case to look altogether to the necessities of the National Treasury. This would be to destroy the whole effect of the distinction just established, and practically to place the proceeds of the public lands on the same footing with any other description of income. We may take a larger and more liberal view of things. We may look, and we ought to look, to considerations of equity, to considerations of expediency, to considerations commensurate with the whole country, or, as General Jackson said, with “the quiet, harmony, and general interest of the American People.”

Why, sir, even in relation to the ordinary revenues of the country, the wants of the Government are not always exclusively regarded. What would be the conduct of Congress at the present session in relation to what is called the compromise act, if the necessities of the nation were to be the only rule of action ? Under the provisions of that act, five millions of dollars are to be withdrawn from the annual revenues of the country, at a moment when, as I have said, there is already a debt and deficiency of twelve millions. We are about to give a silent assent, by leaving that act in operation and laying new duties at the same time, to a course of proceeding by no means remotely analogous, and, to my mind, quite as objectionable, abstractly considered, as that now under discussion. We are about to remit duties with one hand, while we collect them with the other. Upon what principle will this be done ? Why, upon the principle of a previous compact, an existing understanding, or a high and eminent expediency. For myself, I take leave to say, I admit no compact. Those whom I have the honor to represent were not parties to any compact. Nor can I regard it as eminently expedient either, to pursue such a course. On the contrary, I am disposed to think that, as an abstract question of policy and statesmanship, the best way of supplying the existing deficiency in the Treasury would be to suspend the operation of the compromise act, and lay duties on a few only of the leading articles of import, instead of deranging the operations of the whole business community by a sudden imposition of 20 per cent. ad valorem

on every article of commerce which is now free, and that as a *temporary* expedient. But this I well know is out of the question. I allude to the subject only for illustration. The act will be carried out. Duties to the amount of five millions will be taken off, and new duties to the amount of twelve millions will be laid on. And this will be done, as I have said, on some grounds of compact, understanding, or expediency.

Well, sir, and are there no such grounds for the measure we are now discussing? Is there no compact in the case, no expediency, no equity?

I will not go into an elaborate history of the public lands of the United States to show my understanding of the terms on which the original cession of a large portion of them was made by the States. That history is familiar to the House and to the country. Those terms have been argued again and again, not only in these halls, but in the halls of every Legislature throughout the country. I shall content myself with saying, in the most general terms, on this head, that, while I cannot go the length of declaring, that the appropriation of the proceeds of the public lands to the ordinary purposes of Government would be an absolute violation of the compact, I have yet no hesitation in affirming that, in my humble judgment, a distribution of those proceeds among the States would be far more in accordance both with the letter and the spirit of that compact.

I am willing to admit, however, that, as to the intention and contemplation of the States at the time these cessions were made, I think very little can be safely or certainly argued. The contemplation of the States could not have reached to a day like this. High as were the hopes, sanguine as were the expectations, of our fathers at that time, of the glorious results of the liberty they had achieved, and the institutions they had established, it never could have entered into their hearts to conceive of a condition of the country, in which, the public debt being all paid off, such countless acres of territory should remain as the rich and unencumbered inheritance of their children. These cessions certainly were made with no regard to such a state of things. They were made with a view to the present, and not to the future. They were made to allay the jealousies and settle the contentions to which the exclusive claims of certain separate States had given rise, and to defray the expenses which their common independence had cost.

The argument in favor of this measure, from the terms of cession, however, covers only the lands which were ceded. I am aware it is sometimes contended that the lands subsequently purchased may be considered as having been purchased with the proceeds of those ceded, and may thus be made subject to the same principle of disposition. But I prefer, for myself, to rely on considerations which are directly and equally applicable to the whole domain.

I come, then, to some explanation of those considerations of eminent expediency, which, in my judgment, should induce us to exercise the discretionary authority we unquestionably possess over the proceeds of the public lands, in the manner pointed out by the bill, viz: by distributing them among the States, instead of retaining them to eke out the scanty contents of our own Treasury.

And I have no hesitation in saying, Mr. Chairman, that I find these considerations exclusively in the situation of some of the States of this Union. There is no feature in the condition of the country, lamentable as that condition is in so many respects, which is calculated to excite such serious apprehension for its prosperity and its honor as the deep indebtedness of so many of the States. Sir, we may not assume their debts, directly or indirectly. We have no constitutional power to do so. But we may do something, and by this bill we should do something, to aid, encourage, and sustain them in their efforts to relieve themselves. And whatever we can do constitutionally, we are bound to do by every consideration of expediency and of equity, of interest and of honor.

Who is there that desires, or is willing if he can help it, to see the sovereign States of this Union, or any number of them, dishonored before the world, their

character lost, their credit ruined, their faith a by-word among the nations? I there be any such man here or elsewhere, he is no true friend to his country's honor. For, the honor of each individual State in this Union is bound up in the same bundle of life with that of every other, and they constitute together the honor of the nation. It is in vain to say that, if we can only pay our own way, and keep our own head above water, our character is safe. The People of the United States are one People. They rule alike, in State and in nation. They cannot keep their faith and break their faith. They cannot maintain two characters, nor can a stain upon the character of any portion of them fail to cast a reflected stain upon the character of all the rest.

Doubtless, the conduct of many of the States has been rash and reckless in incurring so great liabilities. But who stimulated that rashness—who spurred on that recklessness? It is not my desire to mingle party criminations in this debate, but I cannot help thinking that it is the duty of those who are now in power to remember, in this connexion, that these wild investments of State credit in banks and internal improvements were among the most direct and undoubted consequences of that mad spirit of speculation which the wanton experiments of our predecessors originally engendered—a spirit whose ravages upon the prosperity and welfare of the country it is our high and special commission from the People to repair.

But there is another consideration connected with the origin of these debts which we ought even less to lose sight of. By far the greater part of the liabilities under which so many of the States are now oppressed were incurred for a national object. Let not gentlemen start when I pronounce internal improvements a national object. I am not going to argue the constitutionality or expediency of undertaking such works. What I mean to say, and all I mean to say, is, that they exert a most powerful and momentous influence on the national prosperity and the national permanency. What is there so eminently calculated to bind together this blessed Union of ours in the bonds of mutual friendship and mutual interest, mutual confidence and kindness, as the railroad system? How does it enable us to laugh to scorn the prophecies of dissolution and separation, which are so often founded on our extent of territory? What capacities, of almost indefinite reach, has it not given to our republican machinery? What new elements of democracy has it not introduced into the action of that machinery? James Madison, in the *Federalist*, pronounced the necessary limits of a democracy to be those within which the whole People could meet together conveniently, to consult on their own affairs; and the necessary limits of a republic, those within which the *Representatives* of the People could assemble as often as it was needful, to attend to the business of their constituents. Sir, railroads are to distance what representation is to numbers. From what corner of the continent of North America might not the Representatives of the People easily and often come together by the agency of this railroad system? Nay, has not the same miraculous agency exhibited the People themselves during the last year, taking their own business into their own hands, and coming together from places hundreds, and I had almost said thousands, of miles apart, to consult on their common fortunes?

Our fathers, Mr. Chairman, without distinction of party, considered internal improvements, even before railroads were known, as national objects. They differed as to the constitutional power of constructing them. But even those who maintained that such a power did not exist, were of opinion that it ought to exist. Hear what Thomas Jefferson himself said on this subject, in his last message of his last term, when he was parting from public life forever, and had no longer any ambitious objects to subserve—a passage to which I beg the attention of the committee, as proving not only that Jefferson was in favor of internal improvements at that period of his life, but of accumulating even a surplus revenue to pay for them:

“The probable accumulation of the surplusses of revenue beyond what can be applied to the payment of the public debt, whenever the freedom and safety of our commerce shall be restored,

merits the consideration of Congress. Shall it lie unproductive in the public vaults? *Shall the revenue be reduced?* Or shall it not rather be appropriated to the improvement of roads, canals, rivers, education, and other great foundations of prosperity and union, under the powers which Congress may already possess, or such amendment of the Constitution as may be approved by the States?"

This was the language of Mr. Jefferson. He may have changed his opinions at a later day, but these were the opinions he expressed in his last official declaration to the country. The same sentiments may be found even more developed in one of his previous messages. The same sentiments were more than once expressed by Mr. Monroe. And we all know what were the opinions of my honored colleague in front of me. Had his views been sustained by the country, it may be safely said that the States would have had far less occasion to involve themselves in debt for works of this sort. But, sir, the day for any regret on that score is past. I only desired to remind the committee that it was mainly for these objects of internal improvement, thus by the united testimony of our fathers, and thus ten-fold more by our own experience of agencies invented since they went down to their graves—objects of national concern—that it was for these that the great burden of State liabilities had been contracted. Unquestionably the States have prosecuted these works too extensively. Unquestionably many of the works they have constructed are greatly in advance of the public wants. Led away, in part, by the seductive influence of Government experiments, they were hurried along still more by the admiration and excitement which the extraordinary inventions of our day could not but occasion. They caught something of the impetus of the marvellous enginery they were constructing. They did not learn soon enough the use of the brakes, or were too much excited to hold them hard enough down; and they have been borne along to the very brink of their own ruin. But it was in a noble cause, and one which, though it has involved *them* in embarrassments, has contributed incalculably to the prosperity and permanency of the Union.

And here, Mr. Chairman, I must be allowed to allude to an imputation upon the Northern and Eastern members of this House, which fell originally, I think, from the honorable member from Maine, [Mr. CLIFFORD,] but which was repeated by the honorable member from Georgia, [Mr. ALFORD.] It was this—that we were in favor of the measure on your table as the basis, or entering wedge, I believe it was called, of a protective tariff. The same charge was made against us a day or two ago from another quarter, when we voted for the paltry sum of twenty-five thousand dollars for the relief of the widow of the lamented Harrison. There was something more of absurdity in the latter charge than in the former, but there was no more of injustice. Sir, I never shall disclaim the character of being a friend to the American System, nor ever fail to give my vote or voice in its behalf, whenever an opportunity occurs. But I repel the imputation that any opinions on this subject are the source of my support to the present bill. It would be easy, if I were disposed to indulge in retorts or recriminations, to charge upon gentlemen who oppose this bill, that the principles on which they condemn it are only the cover for their hostility to every thing like a custom-house duty. But I will make no charges of any sort. It is enough for me to deny for myself and my Northern colleagues that there is any thing selfish or sectional in our support of this measure. Sir, if there be any thing sectional, it is not our own section that we regard in this matter. It is for Georgia we feel, if she has contracted any debts which she finds it difficult to discharge. It is for Mississippi, and Alabama, and Illinois, and Indiana, and Ohio, and Maryland, and Pennsylvania. As for New England, there are but five millions of State debts among all six of her States, and four millions and a half of those are the debts of Massachusetts. And let me assure the House I do not plead for Massachusetts in this business. She would not thank me for asking aid from any quarter in redeeming her liabilities. Her stock has stood from the beginning second to none on the foreign exchange, and second to none it will stand to the end. The character of her roads is an ample guaranty of her bonds. But her

credit rests on something higher than the profits of travel or the income of her treasury. The industry of her people is the endorser of her paper—an industry, the manufacturing branch of which alone has been proved to yield a product of almost ninety millions of dollars in a single year, and which would be ready, I will warrant, to respond in the full amount of its hard but honest earnings, rather than the credit of the Commonwealth should be called in question for a moment.

It is no mere figure of speech, Mr. Chairman, to say that the industry of the population of Massachusetts is the endorser of her bonds. I remember well to have heard my honored friend, the Secretary of State, say, on some public occasion, that, happening to show to an English gentleman of fortune, during his late visit to the mother country, a copy of the statistical tables which exhibited the enormous annual product of Massachusetts labor, the inquiry was instantly made—has she any stock in the market?—which, being answered in the affirmative, was forthwith followed by an investment in her stock of some fifty or sixty thousand dollars, or, it may have been, pounds.

Indeed, sir, I may say, not only as to this, but as to all the other great measures of reform which are proposed for our consideration at the present session, that no part of the country is more independent than New England, and no State more so than Massachusetts. Whether you look to the Distribution Act, or the Bank Act, or the Bankrupt Act, which constitute, perhaps, the *trinoda necessitas* of the times, Massachusetts can afford to be as indifferent as any State in the Union. She needs no proceeds of land sales to prop her credit. She needs no bank to render her own currency sound and uniform. While, as to the bankrupt law, her main interest in that, is the interest of a creditor, anxious that her debtors in the South and West should have a chance to wipe off their old scores even at great loss to herself, in order that they may once more resume their relations as her customers, and give her an opportunity to trade with them and trust them again.

And even as to the tariff itself, I am inclined to think she can hold out without murmuring, under a reduction of duties, at least as long as the iron-workers of Pennsylvania, or the wheat-growers of New York, or the tobacco-planters of Virginia and Maryland. Nor does she desire, as I believe, the adoption of any measure on the subject, but such as may seem necessary, in a broad, national view, and after due investigation of the facts, to protect the common interests of all branches of American industry, against the unequal competition of foreign labor, or the injurious influence of foreign legislation.

But there are other States in the Union with far heavier loads upon their backs, and, perhaps, a good deal less able to bear them. And though this bill may not give them all they require, it will afford them unquestionably a most welcome relief. As was admirably remarked by the President in his late message, “with States laboring under no extreme pressure from debt, the fund which they would derive from this source would enable them to improve their condition in an eminent degree.” “With the debtor States it would effect relief to a great extent of the citizens from a heavy burden of direct taxation which presses with severity on the laboring classes, and eminently assist in restoring the general prosperity. An immediate advance would take place in the price of the State securities, and the attitude of the States would become once more, as it ever should be, lofty and erect.”

And now let me protest once more against being charged with advocating either a direct or indirect assumption of the State debts. And in aid of that protest, let me summon up a single fact from the most familiar history of the past. I mean the fact that this same measure of distribution was not only proposed, but passed by a majority of both branches of Congress, before one dollar of State debts was contracted. General Jackson’s veto arrested it.—There can be no pretence, then, that this measure was devised with any reference to State debts. The most that can be said, is, (and that I fearlessly avow,) that we are impelled by the existence of those debts to make another and a stronger effort to carry through and consummate a scheme, which we had long before approved and advocated.

Mr. Chairman, these are the views, briefly and imperfectly expressed, which, in my mind, outweigh all considerations of the necessities of our own Treasury, and compel me to vote for this bill. The necessities of the Treasury can be supplied from other sources. The nation is not yet in such a beggarly condition as gentlemen would have us think. True, sir, the revenues of the country have been most extravagantly and wastefully dealt with for some years past. Our cash on hand has all been expended, and our credit largely drawn upon. But we have inexhaustible resources still left, and a generous and patriotic People to sustain us in putting them in requisition.—It will be time enough to discuss this question, however, when the revenue bill comes up. I will only say now, in reply to calculations and estimates which have been made on the other side, that, from the best information I can obtain, from those accustomed to examine into such matters in the mercantile community I have the honor to represent, a revenue of from eight to twelve millions of dollars might be raised by a 20 per cent. ad valorem duty on a home valuation of three articles only—I mean silks, stuff-goods, and linens.

One idea more, Mr. Chairman, and I will conclude. Sir, I maintain that this, after all, is not a question between distributing the proceeds of the public lands among the States, and retaining them honestly and permanently in the Treasury. Gentlemen hold up to the House and to the country a false issue in presenting the question in that form. Have they forgotten there is such a word as *cession* in the dictionary, or, as my colleague in front of me said the other day, on another subject, are their “lips forbid to name that once familiar word?” I do not mean *s-e-s-session*. We have heard enough about extra sessions, and extraordinary sessions, and the extraordinary doings of extraordinary sessions. Honorable members all round the House have rung these changes to our heart’s content. I mean *c-e-s-cession*. Have gentlemen forgotten that General Jackson himself proposed in his first message that “the public lands should cease as soon as practicable to be a source of revenue,” and that the proposition was approved and sustained by the great mass of his friends and followers? Have they forgotten that a plan for ceding the lands to the States in which they lie, (a measure which, if commenced in favor of the existing States, must in all equity be carried out as fast as new States are formed, and which would thus ultimately cover the whole public domain,) was devised not a hundred years ago, and not a thousand miles from South Carolina itself?—A plan for giving up outright one-half of the proceeds, and leaving us, as I think, little or no hope of ever seeing the other half. It does not lie, Mr. Chairman, with gentlemen who have advanced or sustained such schemes as these, to charge the friends of distribution with abstracting the revenues or robbing the exchequer.

I will not detain the committee by going into any examination of this project of *cession*. Let me only say that all that is just and reasonable I shall always be willing, so far as my vote is concerned, to yield to the new States. I rejoice in the rapidity of their advancement, even although, in the scale of national importance, the law of their increase is the law of our decrease. I welcome their Representatives as they come thronging in augmented numbers, under a new apportionment, to occupy this Hall, even though it should be to push some of us from our stools. It gave me a thrill of pleasure and of pride not often experienced, when an honorable Senator from Indiana [Mr. SMITH] told me the other day in conversation that, after careful examination, he believed that not one measure which had been passed by Congress for the benefit of the new States, could have been carried without the votes of Massachusetts. I hope they may never ask for those votes in vain. For one, I will not cavil about the ten per cent. allowed them in this bill. I do not begrudge them the half million of acres which it proposes to make up to them. I go cheerfully even for the pre-emption clause. But I believe the contemplated *cession* would be a fatal dowry to them, as well as a measure full of injustice to us. Between that, therefore, and distribution, which I consider the real question at stake, I cannot hesitate a moment.



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